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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 003243

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E.O. 12958: DECL: 09/03/2016

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SUBJECT: ATTORNEY GENERAL MAKES PRODUCTIVE VISIT TO IRAQ

Classified By: Charge d'Affaires Daniel V. Speckhard for Reason 1.4 (d)

SUMMARY AND COMMENT

11. (C) U.S. Attorney General Alberto Gonzales paid a productive and busy visit to Baghdad on August 29. He met with Deputy Prime Minister Barham Salih and other key Iraqi officials, visited wounded soldiers at the U.S. Combat Support Hospital, toured the Iraqi High Tribunal where Saddam Hussein is being tried, and had a working lunch with U.S. military and civilian officials.

12. (C) The Iraqi interlocutors of the Attorney General agreed with him that the rule of law is central to the development of an abiding democracy. The Attorney General emphasized that the rule of law requires an independent judiciary, the holding accountable of people who violate the rule of law, the humane treatment of prisoners, and the passage of laws that support the constitution.

13. (C) COMMENT: The visit of the Attorney General came at an opportune time and provided the Embassy with important support in its efforts to help the Iraqis strengthen the rule of law. END SUMMARY AND COMMENT.

MEETING WITH KEY IRAQI OFFICIALS

14. (C) Deputy Prime Minister Barham Salih hosted a meeting at his home for the Attorney General with key Iraqi officials. The participants were:

- Chief Justice Medhat al-Mahmoud;
- Minister of Defense Abdul Qader al-Obeidi;
- Minister of Interior Jawad al-Bolani;
- Minister of Justice Hashim al-Shibli, and
- National Security Advisor Muwfaq al-Rubaie.

15. (C) Also in attendance were Charge d'Affaires Speckhard, Assistant Attorney General, Criminal Division, Alice Fisher; Chief of Staff to the Attorney General Kyle Sampson; Associate Deputy Attorney General Thomas Monheim; Deputy Assistant Attorney General, Criminal Division, Bruce Swartz; Deputy Director, DOJ Office of Public Affairs Brian Roehrkasse; Special Assistant to the Attorney General Michael Beck; and Embassy Rule of Law Coordinator James Yellin.

AGREEMENT ON IMPORTANCE OF RULE OF LAW

16. (C) The Deputy Prime Minister warmly welcomed the Attorney

General and underlined the importance of continued United States support in combating terrorism and in strengthening justice and democratic governance.

¶17. (C) The Iraqi participants agreed with the Attorney General that:

-- There needs to be a renewed commitment to strengthen the rule of law in Iraq;

-- Personal liberties must be respected, security concerns notwithstanding;

-- Development of the rule of law is central to the development of democracy in Iraq.

¶18. (C) The Attorney General noted that the rule of law in Iraq will require:

-- A strong, independent judiciary;

-- The holding accountable of people who violate the rule of law;

-- The humane treatment of prisoners and detainees;

-- The passage of laws that implement the provisions of the constitution.

¶19. (C) The Attorney General also remarked that building an abiding democracy will take time.

THE COURTS

¶10. (C) The Iraqi participants agreed with the Attorney

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General on the importance of a strong, independent judiciary.

¶11. (C) The Chief Justice stressed the necessity of an independent judiciary and asked for continued assistance in modernizing the courts. He said he plans to appoint more judicial investigators and thanked the Department of Justice for agreeing to help train them.

¶12. (C) The Minister of Justice stated that the Iraqi people had suffered under a dictatorial regime for 35 years and had come to fear and mistrust the courts. He stated that his principle mission is to dispel that fear and to spread "love and brotherhood and democratic values with human rights." He requested assistance in the training of court clerks and administrative personnel.

¶13. (C) The Minister of Interior said that he has stressed to the police and all other employees of his ministry that nobody is above the law. In an oblique criticism of the judiciary (with which his ministry has poor relations), he added that improving the courts would help improve the confidence of his employees in the job they are doing.

¶14. (C) The Minister of Defense expressed the belief that terrorists are being saved by the current civilian legal system. He maintained that Iraq is not the United States but a third-world country and must be governed using Iraqi customs and culture. He asserted that his Army cannot operate effectively under the current system and that martial law should be reinstated.

¶15. (C) National Security Advisor Rubaie observed that 15 to 20 percent of crime in Iraq is apolitical and is conducted by organized crime rings, drug traffickers, and gangsters. He said that drugs are being trafficked through Iraq to other countries. He did not consider drug use a major problem in Iraq but acknowledged that more youths have begun to use drugs since liberation. He requested help with training in the areas of money laundering and human rights.

SITE 4

¶16. (C) After the above meeting with Iraqi officials, the Attorney General, accompanied by the Charge, Assistant Attorney General Swartz and ROL Coordinator, had a brief separate discussion with Minister of Interior Bolani.

¶17. (C) The Attorney General asked about the status of executing the arrest warrants for the individuals implicated in the abuses at the Ministry of Interior pre-trial detention facility known as Site 4. Bolani replied that he had formed three committees to review this question, and that he expected a response from them within two weeks. (Embassy Note: An Iraqi Investigative Judge issued arrest warrants on June 27 for 52 people implicated in the abuses at Site 4, including the commander of the Second National Police Division. Only one or possibly two people have, however, been arrested. Paragraph 136(B) of the Iraqi Criminal Procedures Code provides cabinet ministers with a veto over referral of a ministry employee to court.)

NOTES

¶18. (SBU) We will report by septel a conversation which the Attorney General had with Deputy Prime Minister Salih.

¶19. (SBU) The Attorney General did not have the opportunity to clear this telegram before leaving Baghdad.
SPECKHARD